

MINUTES OF THE ZONING BOARD
PUBLIC HEARING AND REGULAR MEETING,
MONDAY, FEBRUARY 13, 2017 AT
7:00PM, ON THE 4th FLOOR, CAFETERIA,
GOVERNMENT CENTER BLDG, 888 WASHINGTON
BLVD., STAMFORD, CT

Present for the Board: Thomas Mills (Chair), David Stein (Secretary), Rosanne McManus, William Morris and Joanna Gwozdzowski, Present for staff: Ralph Blessing, Land Use Bureau Chief, and Vineeta Mathur, Associate Planner.

Chairman Mills called the meeting to order at 7:05 pm.

Mr. Morris made a motion to take the agenda out of order to hear applications 216-47 and 216-48, seconded by Ms. McManus and carried on a vote of 5 to 0 (Morris, McManus, Mills, Stein & Gwozdzowski)

PUBLIC HEARING

1. **Application 216-47-TOWN OF NEW CANAAN -77 Main Street, New Canaan CT (for Reservoir Lane – (Parcel 004-2786) Stamford, CT –Text Change,**

To Amend the following:

- (1) Article Two, Section 3, Definitions by adding a new definition “Public Safety Tower or Antenna”.
- (2) Appendix A, Land Use Schedule, Table One to add “Public Safety Tower or Antenna” as a “B” use in the RA-1, RA-2 and RA-3 zoning districts
- (3) Article Three, Section 4AA, District Regulations, Subsection 1.3 Permitted Uses, Special Exception in the RA-3, RA-2, RA-1 Single Family Districts, Very Low Density by adding “Public Safety Tower or Antenna”
- (4) Article Three, Section 8 Height Regulations, by adding “Public Safety Tower or Antenna” to paragraph C.
- (5) Article Three, Section 7 Area and Supplemental Regulations, by adding a new subsection “V”.

2. **Application 216-48-TOWN OF NEW CANAAN -77 Main Street, New Canaan CT (for Reservoir Lane – (Parcel 004-2786) Stamford, CT –Special Exception,** Applicant is proposing to install an eight-five foot tall flag pole type tower with a 4” diameter approximately 22’ long whip antenna attached to the top. The antenna will be used exclusively for public safety purposes by New Canaan fire, police, ambulance and emergency services.

Chairman Mills read applications 216-47 & 216-48 into the record

Mr. Stein read the planning board referral comments into the record

Attorney Peter Gelderman of Berchem, Moses, Devlin presented the certificate of mailings to the board and stated that they have had several conversations with Doug York and Mark Diamond of North Stamford Neighborhood Association and will be meeting with the association on February 28, 2017. He stated that they would like to request a continuance of the public hearing so that they can meet with the Association and also conduct a balloon test.

He stated that they have scheduled the balloon test for February 21, 2017 from 8:30am – 4:30pm with a rain date of the next day and the balloon company notifies 24 hours in advance if it's a go or not.

Chairman Mills stated that the public hearing for applications 216-47 and 216-48 will be continued to the March 13, 2017 meeting.

Mr. Stein made a motion to return the agenda to the order, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, McManus, Mills, Morris & Gwozdzowski)

PUBLIC HEARING CONTINUED FROM JANUARY 30, 2017

1. **Application 216-49 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Site and Architectural Plans**, Modification of appl. 216-35 to eliminate approved parking lot located on the southerly rear portion of the property. Property is located in the M-D District.
2. **Application 216-50 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Text Change**, To amend Article III, Section 9, BBBB M-D Designed Industrial District to change the parking standard for self-storage uses in the M-D district.

Chairman Mills read applications 216-49 & 216-50 into the record and stated that these applications are a continuance from the January 30, 2017 public hearing

Mr. Stein read the planning board referral comments into the record.

Attorney Nicholas Vitti of Cacace Tusch & Santagata introduced his team and submitted the mailings into the record he also stated that they have not received any inquiries from the mailings. He then made a brief presentation of the parking and the issues of the conservation easement.

He presented parking logs and images from January 16, 2017, January 19, 2017 and January 21, 2017 to the board.

Attorney Vitti than asked the board if they had any questions.

Chairman Mills stated that he would not be voting on this application as he did not partake in the previous application submitted by Westys.

Ms. McManus commented that the application is exactly what we had requested. She asked whether it is appropriate to remove the conversation easement permanent or on a temporary basis.

Attorney Vitti noted that they would prefer that you leave it open permanently.

Mr. Stein asked how wide the easement is.

Attorney Vitti noted that it is about 60 feet wide.

Len D'Andrea of D'Andrea Surveying & Engineering noted that the location of the easement is flexible we do not need all of it. They will put in an anti-tracking pad and will restore it to the way it was.

Attorney Vitti stated that they would accept a condition to maintain it the way it is now.

Ms. Gwozdzowski asked about the plantings.

Mathew Popp described the new planting plan and the type of trees and shrubs that will be planted to the board. He stated that no trees will be removed.

Chairman Mills asked if there were any comments from the public.

No public comments for applications 216-49 & 216-50

Chairman Mills stated that the public hearing for applications 216-49 and 216-50 have been closed.

PUBLIC HEARING

1. **Application 216-46 – EMPIRE WEST AVENUE, LLC, 143 Leon Place, 18 Piave Street and 220 West Avenue, Special Exception and Site/Architectural /Requested Use Plans.** Requesting approval to construct six (6) condominium buildings with thirty-two (32) units in total located on property consisting of three (3) lots. The property is located within the RM-F Zone and is approximately 1.05 acre (45,899± square feet).

Chairman Mills read application 216-46 into the record.

Mr. Stein read the planning board referral comments into the record.

Attorney Lisa Feinberg, of Carmody Torrance Sandak & Hennessey presented the certificate of mailings and introduced her team to the board. She noted that the application is a resubmittal of a previous application #216-46 that was denied by the Zoning Board in which she was not involved.

She stated that the applicant has revised the application taking into account the comments and concerns of the Planning Board, Zoning Board and Staff Report. She stated that Jamie Heffernan (one of the owners) has reached out to the community to speak regarding the project. She presented the board with renderings of both what the area looks like now and what it will look like if the proposed project is approved.

She stated that under the new application the applicant is requesting (1) less unit (reduced from 33 to 32 units), has added more landscaping and has reconfigured the ingress and egress onto the site to mitigate the neighbors' concerns. The ingress will be on Piava Street and the egress will be on Leon Place. There are a total of 32 condominium units however once the project has been completed and depending on the market they could become apartments – (3 units BMR and 1.5 units as a credit from the liberty commons park project). There are a total of 67 parking spaces (52 garage and 15 surface spaces). There will be 2,600 square feet of open space along with a child play area. Each unit will have a roof top deck, balconies and most will also have patios.

She then outlined the changes to the site plan using presentation boards showing the additional landscaping and the design of the wall which will not exceed the 6 foot max making a special exception not necessary for this project.

Ms. McManus asked what is currently on the property.

Attorney Fienberg replied that there are currently two residential buildings on the site with a total of 5 units. She also noted that the rentals are month to month and the renters are aware of the development

Ms. McManus expressed concern over replacing 5 moderately priced units with 3 BMR units however she liked the design.

Ms. Gwozdzowski asked about the roof top decks and the height of the units.

Attorney Feinberg explained the layout and noted that most units will have patios and all will have roof top areas.

Ms. Gwozdzowski commented that she liked the design as well.

Mr. Morris asked about the guest parking spaces and how will they be maintained as visitor spaces.

Attorney Feinberg noted that there are 15 surface parking spaces of which 9 are for visitors and the remaining 6 spaces would be for overflow. We will have a parking management plan. You could add parking enforcement of the visitor parking to the conditions.

The board then discussed in length the parking plan for this project, the amount of spaces in total and how they are designated for each unit. They stressed their concern with the parking spaces being rented out or sold and how many spaces are being marked for units and visitors. The board is concerned that most visitors will have to park on the street as most likely the owners and or renters of said units will have more than one vehicle and will have to use visitor parking.

Attorney Feinberg stated that they going to make the area a gated community. She stated that they have not come up with a design as of yet but that they are committed to making this happen. She also stated that they are more than compliant with the parking regulations.

Mr. Morris asked for a discussion of the fence

Attorney Feinberg and John Puglisi of D'Andrea Surveying and Engineering outlined the design of the wall and fence to the board using presentation boards.

Chairman Mills asked if this will become an issue for traffic site lines. He asked if it is set back enough to not obstruct on-coming traffic.

The board than discussed the details of Robert Zaitooni – City of Stamford -Traffic Engineers Report concerning the sight lines.

Chairman Mills asked if there is anybody from the public who wishes to speak

PUBLIC COMMENTS FOR APPLICATION 216-46

Cynthia King, 7 Piave Street #8 stated her concerns with on street parking on Piave Street. She agreed with the sight line issue raised by Chairman Mills. She also noted that there are several no parking signs that should remain. She suggested that you could get maybe 3 to 4 parking spaces on the street and asserted that there will not be enough parking in the complex. Other than that the project is very nice. She stated that there was talk of making the street a one way street and if it is still the case.

Attorney Feinberg noted that Piave Street will not become a one way street

The board presented Ms. Feinberg with questions to be answered at the next meeting:

- Can you provide data of the rents, size of the existing units, parking
- Size of the units
- Alternate plan on more parking spaces

Also the board would like the parking rendering plan to be reviewed by traffic engineer prior to the February 27, 2017 meeting.

Chairman Mills stated that the public hearing for application 216-46 will be continued to the February 27, 2017 meeting.

Chairman Mills called recess at 9:30. The meeting resumed at 9:40p

REGULAR MEETING

APPROVAL OF MINUTES

Minutes for Approval: January 30, 2017: Following a brief discussion, Ms. McManus moved approval of minutes as amended, seconded by Mr. Stein and carried on a vote of 5 to 0 (Mills, Stein, Morris, McManus & Gwozdzowski)

Ms. McManus moved to take the agenda out of order to discuss pending applications 216-49 and 216-50, seconded by Mr. Morris and carried on a vote of 5 to 0 (Morris, Mills, Stein, McManus & Gwozdzowski)

PENDING APPLICATIONS

1. Application 216-50 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Text Change

Following a brief discussion of the draft conditions Mr. Morris moved to approve application 216-50, seconded by Ms. McManus and carried on a vote of 4 to 0 (Morris, McManus, Stein & Gwozdzowski)

2. Application 216-49 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Site and Architectural Plans

Following a brief discussion of the draft conditions Ms. McManus moved to approve application 216-49, seconded by Ms. Gwozdzowski and carried on a vote of 4 to 0 (Morris, McManus, Stein & Gwozdzowski)

Ms. McManus moved to take agenda out of order to discuss Old Business application 214-05, seconded by, Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Morris, Stein, McManus & Gwozdzowski)

OLD BUSINESS

1. Application 214-05 – RB STAMFORD ASSOCIATES, LLC, Greyrock Place and Tresser Blvd – Parcel 38 & 38B, Special Exception and Site and Architectural Plans requesting approval of special exceptions and site plans to construct an innovative mixed-use development (“Urban Ready Living”) with 672 residential units within 11 “blocks” with 5,090 sf of ground floor retail, 571 parking spaces, landscaping and amenities on 4.3

acres in a CC-N zone. Special Exceptions would permit large scale development, conversion of commercial floor area to residential development, 100% coverage and reduced setbacks and reduced parking ratio of 1:1 through parking management strategies. (*Phasing of Zoning Board Approval*)

Chairman Mills read the request into the record

Attorney Lisa Feinberg of Carmody Torrance Sandak & Hennessey introduced her team and made a brief presentation.

Eric Vermeulen, Architect made a presentation to the board regarding the project and the changes that have been made to incorporate the phasing in process.

Mr. Morris asked if under the new proposal the café will be open air.
Mr. Vermeulen stated that no, but there will be outdoor seating.

There was discussion of the wooden pavement IPE (Planks) and the color samples.

Ms. Feinberg stated that they are requesting for the extension time period to be to year 2020 (which would be from year 2014 – year 2020 – total of 6 years) and then they will come back to the board for five (5) (1) one year period extensions.

The phasing would be:

Phase 1 – Blocks I, J, E & B
Phase 2 – H & G

The building permit will be for all blocks – one permit.

Ms. Feinberg stated that we would like to delay the artwork until after the completion of the blocks. We do not want to put up artwork only to have to take it down when another phase goes up. There was discussion of when the artwork should be installed.

Ms. Feinberg stated that the applicant shall present the artwork to the board prior to the TCO for phase 1. The board was in agreement of this proposal stipulation.

Following a brief discussion Ms. McManus moved to approve the changes to application 214-05 regarding the phasing, change of materials, the new design of the plaza, and the art work for the two towers which will be presented to the board prior to the TCO of phase 1 seconded by Ms. Gwozdzowski) and carried on a vote of 5 to 0 (Mills, Morris, Stein, McManus & Gwozdzowski)

Ms. McManus moved to return the agenda back to pending application 216-41, seconded by Mr. Morris and carried on a vote of 5 to 0 (Mills, Morris, Stein, McManus & Gwozdzowski)

1. Application 216-41 – Ten Rugby Street, LLC. 10 Rugby Street, Special Exception Coastal Site Plan Review and Site and Architectural Plan Review

The Zoning Board discussed the court stipulation at length. Due to time constraints, the board decided to continue their discussion at the next regular board meeting on Monday, February 27, 2017.

ADJOURNMENT

Ms. McManus moved to adjourn the meeting at 11:45 pm, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Morris, Stein, McManus & Gwozdzowski)

The meeting was adjourned at 11:45 pm

Respectfully submitted,

David Stein, Secretary
Stamford Zoning Board

ZB PH 21317

NOTE:

These proceedings were recorded on **video** and are available for viewing through the City of Stamford's web page – www.stamfordct.gov.

There proceedings were also **audio tape** recorded and are available for review in the Land Use Bureau located on the 7th floor of the Government Center, 888 Washington Boulevard, during regular business hours.